IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

WP(C).No. 30848 of 2005(V)

PETITIONER:

THANKAM.V.K., UPPER PRIMARY SCHOOL ASSISTANT, GOVT. HIGH SCHOOL, KANNATTUPADAM, PALAPPILLY, THRISSUR DISTRICT.

BY ADV. SRI.N.N.SUGUNAPALAN (SR.)
SRI.S.SUJIN

RESPONDENTS:
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1. HEADMASTER, GOVT. HIGH SCHOOL, KANNATTUPADAM, PALAPPILLY, THRISSUR DISTRICT.

2. DEPUTY DIRECTOR OF EDUCATION, THRISSUR.

3. DIRECTOR OF PUBLIC INSTRUCTION, THIRUVANANTHAPURAM.

4. SENIOR AUDIT OFFICER, OFFICE OF THE PRINCIPAL ACCOUNTANT GENERAL (AUDIT) KERALA, BRANCH OFFICE, THRISSUR, PB NO.522, THRISSUR-680 020.

5. SECRETARY, GENERAL EDUCATION DEPARTMENT, GOVT. OF KERALA, GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

6. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY TO GOVT., GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER (SHRI T.T. MUHAMMED)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.(C) NO.30848 OF 2005 V

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF ORDER DATED 18.3.1993 ISSUED BY THE DY. DIRECTOR OF EDUCATION, THRISSUR.

EXT.P2 TRUE COPY OF GOVT. ORDER NO.G.O.(MS) 522/EDN. DT. 20.5.1958.

EXT.P3 TRUE COPY OF GOVT. ORDER NO.G.O.(MS) 507/70/S. EDN. DT. 10.12.1970.

EXT.P4 TRUE COPY OF AUDIT OBJECTION NO.7 RAISED BY 4TH RESPONDENT AS PER LETTER DATED NIL.

EXT.P5 TRUE COPY OF LETTER DT. 19.3.05 ISSUED BY THE THIRD RESPONDENT DPI TO THE FIRST RESPONDENT HEADMASTER FORWARDING EXT.P4 AUDIT OBJECTION.

EXT.P6 TRUE COPY OF PETITIONER'S OBJECTIONS TO EXTS.P4 AND P5 AUDIT OBJECTION, AS PER PETITIONER'S REPRESENTATION BEFORE THE GOVERNMENT DATED 3.4.2005.

// TRUE COPY//

PS TO JUDGE

K. M. JOSEPH, J.

W.P.C NO. 30848 OF 2005 V

Dated this the 6th December, 2006

JUDGMENT

Petitioner has approached this Court against Ext.P4 audit objection and consequential order Ext.P5. Petitioner has preferred Ext.P6 against the objection, before the Secretary to Government, General Education Department. Heard the learned Government Pleader also. I feel that a decision should be taken on Ext.P6 after hearing petitioner also. Accordingly, the Writ Petition is disposed of directing fifth respondent to consider and take a decision on Ext.P6 in accordance with law, after hearing the petitioner also, within a period of two months from the date of receipt of a copy of this Judgment. Till such time as a decision is taken as aforesaid, Ext.P4 shall be kept in abeyance.

K. M. JOSEPH, JUDGE

kbk.